

REMARKS

This Amendment is being submitted in response to the final Office Action mailed in the application on February 9, 2005. Claims 5, 6, 8, 11, 12 and 15-17 are pending. Claims 9, 13 and 14 were previously withdrawn and claims 1-4, 7 and 10 were previously cancelled. Claims 5, 8, 11, 12 and 17 have been amended; claims 6, 15 and 16 have been canceled; and claims 18-22 have been added by this Amendment.

A check for payment of the added claims fee (\$400) is being filed with this Amendment. Authorization is granted to charge our deposit account No. 03-3415 for any additional fees necessary for entry of this Amendment.

The Examiner has acknowledged applicant's claim for foreign priority based on Japanese Patent Application 11-255345 filed September 9, 1999, but noted that a certified copy of such application has not yet been filed. A letter enclosing the certified copy of the priority document was mailed on November 17, 2000 with mail certification. Entry of the claim for priority and acknowledgement of receipt of such document is accordingly requested.

The Examiner has rejected applicant's claims 5, 6, 8, 11, 12 and 15-17 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More particularly, according to the Examiner, claims 5, 6 and 15-17 are incomplete for omitting essential elements, namely, means that would link the identification setting means for setting identification information for each storage area to identification information received from the receiving means for receiving file data. The Examiner has also argued that the limitation in claim 5 of "storing means storing the file data in a storage area corresponding to the received identification information" does not functionally link to storage setting means and the identification information setting means, and

that “charge information” in the limitation “managing means for managing charge information of the file data for each storage area” lacks antecedent basis. The Examiner has further stated that claims 6, 8 and 15-17 inherit the same or similar deficiencies as parent claim 5, and claims 11 and 12, which are directed to a method and storage medium corresponding to claim 5, contain similar deficiencies.

Applicant has canceled claims 6, 15 and 16, thereby obviating the Examiner’s rejection of these claims. Applicant has amended claims 5, 8, 11 and 12 and submits that these claims, as amended, particularly point out and distinctly claim the subject matter of the invention. In particular, claims 5, 11 and 12 now recite a storage apparatus, control method, and storage medium, respectively, including storing file data in each of a plurality of storage areas; managing usage information related to a process executed on the stored file data, corresponding to each of the plurality of storage areas in which the file data is stored; and transmitting the managed usage information to an accounting server. Such claims, as amended, and claim 17, which has been amended to depend from claim 5, are therefore submitted as patentable under Section 112.

The Examiner has rejected claims 5-6, 8 and 11-12 under 35 U.S.C. § 103(a) as being unpatentable over De Vries et al. (U.S. Patent No. 6,704,738) in view of Dedrick (U.S. Patent No. 6,016,509). Claim 6 has been cancelled without prejudice, rendering the Examiner’s rejection thereof as moot. With respect to applicant’s pending claims 5, 8, 11 and 12, as amended, the Examiner’s rejections are respectfully traversed.

Applicant’s independent claims 5, 11 and 12 have been amended to better define applicant’s invention. Particularly, as noted above, claims 5, 11 and 12, which are directed to a storage apparatus connected to a network, a control method for controlling a storage apparatus

connected to a network, and a storage medium for storing a program for controlling a storage apparatus connected to a network, have been amended to recite storing file data in each of a plurality of storage areas; managing usage information related to a process executed on the stored file data, corresponding to each of the plurality of storage areas in which the file data is stored; and transmitting the managed usage information to an accounting server. Such features are neither taught nor suggested by the cited patents.

According to the Examiner, the cited de Vries et al. patent discloses a storage apparatus connected to a network, as shown in FIGS. 1A and 1B, comprising a storage area setting means for setting a plurality of storage areas in a storage unit, as described in Col. 5, lines 7-24 and lines 41-45 of the patent (raw audio/video data in conjunction with media database 22); identification information setting means for setting identification (librarian 28 creates an object in the meta database 26 corresponding to the raw audio/video data and assigns the object an object identification number) for each storage area; receiving means for receiving a file data with identification number (URL), and storing means for storing the file data (in media database server 24). The Examiner further argues that while de Vries et al. do not explicitly recite “managing means for managing charge information,” Dedrick teaches a storage apparatus connected to a network which comprises managing means for managing charge information of the file data stored in a storage area. More particularly, according to the Examiner, Dedrick teaches a metering server 14 that calculates the price of consuming the electronic information from the cost type and the cost value associated with the information.

In contrast, applicant’s invention is characterized by managing usage information related to a process executed on stored file data, corresponding to each of a plurality of storage areas in which the file data is stored, and transmitting the usage information to an accounting

server (e.g., page 30, line 21-page 31, line 1 of applicant's specification). This feature of applicant's invention enables the calculation of a usage fee for data stored in a plurality of storage areas.

Applicant submits that the cited de Vries et al. patent, either alone or in combination with the Dedrick patent, does not teach or suggest the storage apparatus, control method, or storage medium of applicant's amended independent claims. In particular, applicant's invention as recited in claims 5, 11 and 12 requires storing file data in each of a plurality of storage areas, managing usage information related to a process executed on the stored file data, corresponding to each of the plurality of storage areas in which the file data is stored, and transmitting the managed usage information to an accounting server.

The cited de Vries et al. patent teaches storing data in any one of a plurality of databases on a network. As acknowledged by the Examiner in the Office Action, de Vries et al. does not teach or suggest managing means for managing charge information. Applicant submits that de Vries et al. further fail to teach or suggest managing usage information related to a process executed on the stored file data, corresponding to each of the plurality of storage areas in which the file data is stored and transmitting the managed usage information to an accounting server, as recited in applicant's amended independent claims.

The Dedrick patent teaches a metering mechanism which calculates a charge of transmitted information in accordance with the amount and value of information (Col. 7, lines 16-48). Particularly, Dedrick teaches calculating the price of consuming electronic information from the cost type and cost value associated with the information. (Col. 7, lines 35-37). However, the Dedrick patent fails to teach or suggest managing usage information related to a process executed on the stored file data, or that such information corresponds to each of the

plurality of storage areas in which the file data is stored, as required by applicant's amended claims. Moreover, Dedrick fails to teach or suggest transmitting the managed usage information to an accounting server.

In view of the above, it is submitted that applicant's claims 5, 11 and 12, as amended, and their respective dependent claims, all patentably distinguish over the cited art of record. Accordingly, reconsideration of the claims is respectfully requested.

If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 790-9278.

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Respectfully submitted,

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